

REMARKS/ARGUMENTS

This Amendment is being filed in response to the Office Action dated June 17, 2011. Reconsideration and allowance of the application in view of the amendments made above and the remarks to follow are respectfully requested.

Claims 26-30 are pending in the Application. Claim 26 is the sole independent claim.

In the Office Action, claim 27 was objected to for lack antecedent basis. In response, the objected to claim is amended as suggested by the Examiner. Accordingly, withdrawal of this objection is respectfully requested.

In the Office Action, claim 26 is rejected under 35 U.S.C. §112, second paragraph, for being indefinite. In response, the rejected claim is amended to correct the indefiniteness pointed out by the Examiner. Accordingly, withdrawal of this rejection is respectfully requested.

In the Office Action, claims 26-30 are rejected under 35 U.S.C. §103(a) over U.S. Patent Publication No. 2003/0110320 to Ono et al. ("Ono") in view of U.S. Patent Publication No. 2004/0078382 to Mercer et al. ("Mercer") in view of U.S. Patent Publication No. 2001/0021965 to Yokota et al. ("Yokota"). These rejections are respectfully traversed. It is respectfully submitted that claims 26-30 are allowable over Ono in view of Mercer and Yamauchi for at least the following reasons.

As explained in the Background of the Invention section of the present application, what is proposed is a generic logical format that is independent of the content type and the physical medium. Numerous physical and logical disc formats are broadly in use and new

formats are constantly being introduced. Introduction of new formats is expensive for the player manufacturers who have to provide support for each of these new formats to compete. The generic logical format of the present system enables the player to playback content having any physical or logical formats that is translatable by the generic logical format as recited in the claims.

Accordingly the claims are amended to clarify that the storage medium is for playback on processing systems restricted to a given data format and comprises at least one content object file having any one of a plurality of data formats.

Ono in its Abstract describes automatically activating selection of data and an application program when a recording medium is loaded. The Office Action references Ono, FIGs. 1 and 3-4 and paragraphs [0063] and [0096]. However, it is respectfully submitted that these figures and paragraphs and the rest of Ono for that matter do not teach, disclose or suggest "[a]n optical storage medium having a physical character for playback on processing systems restricted to a given data format" and comprising "at least one of a plurality of content object files each having one of a plurality of data types and any one of a plurality of data formats for playback on a data processing system" as recited in the claims (emphasis added).

Mercer, as argued in the response to the previous Office Action, describes a compressed format used for nothing more than organizing files in a file system. Yokota addresses erasure of content recorded on a recording medium. Nothing in Mercer and Yokota are directed teaches, discloses, or suggests "playback on processing systems restricted to a given data format ... at least one of a plurality of content object files each

having one of a plurality of data types and any one of a plurality of data formats for playback on a data processing system", as in the claims (emphasis added).

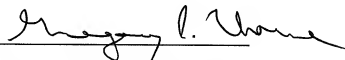
It is respectfully submitted that the claims are not anticipated or made obvious by the teachings of Ono, Mercer and Yokota. For example, Ono, Mercer, and Yokota do not teach, disclose or suggest, an optical storage medium that amongst other patentable elements, comprises (illustrative emphasis added) "[a]n optical storage medium having a physical character for playback on processing systems restricted to a given data format, the optical storage medium comprising: at least one of a plurality of content object files each having one of a plurality of data types and any one of a plurality of data formats for playback on a data processing system; an application layer including a generic logic format having a data structure implemented for describing each of the plurality of content object files; a physical layer directly linked to the physical character of the optical storage medium, the application layer is independent from said physical layer, said generic logic format preventing dependence of the content object files on the physical character of the optical storage medium", as recited in claim 26.

Based on the foregoing, the Applicants respectfully submit that the independent claim is patentable and notice to this effect is earnestly solicited. The dependent claims respectively depend from the independent claim and accordingly are allowable for at least this reason as well as for the separately patentable elements contained in each of the claims. Accordingly, separate consideration of each of the dependent claims is respectfully requested.

In addition, Applicants deny any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicants reserve the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

Applicants have made a diligent and sincere effort to place this application in condition for immediate allowance and notice to this effect is earnestly solicited.

Respectfully submitted,

By 

Gregory L. Thorne, Reg. 39,398
Attorney for Applicant(s)
September 19, 2011

THORNE & HALAJIAN, LLP

111 West Main Street
Bay Shore, NY 11706
Tel: (631) 665-5139
Fax: (631) 665-5101

Please direct all inquiries and correspondence to:

Michael E. Belk, Reg. 33,357
Philips Intellectual Property & Standards
P.O. Box 3001
Briarcliff Manor, NY 10510-8001
(914) 333-9643